*415. [*The questioner)Shri Kailash Pati Mishra) was absent. For answer,* vide *col.* 40-41 infra]

Incentives for persons Declaring True Income

*416. SHRI KALPNATH RAI: Will the Minister of FINANCE be pleased to state:

(a) whether the Income-tax Department offers any incentives to tax-payers for declaration of their true incomes and prompt payment of the taxes; and

(b) if so, what are the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI JANARDHAN POOJARI): (a) and (b) The Government have assured that the assessees-both old and new, who want to come forward voluntarily to make full and true disclosure of their income can do so by filing estimates of advance tax based on true income for the current year by March, 1986 without fear of any penal consequences, such as penalty or prosecution. It has also been clarified that such assessees would not be subjected to any roving enquiries nor would their earlier assessments be reopened only on the basis of such higher estimates.

श्री कल्पनाथ राय : क्या सरकार वालेंटरी डिक्लोजर स्कीम को पुनः लागू करेगी जिससे कि करोड़ रुपये सरकार को इनकम हो सकेगी ?

SHR VISHANATH PRATAP SINGH: We have no intention of announcing any voluntary disclosure scheme. In fact, even without such a scheme, we have been able to net higher revenues. There was the bearer bonds scheme which netted only Rs. 1,000 crores. Moreover, we had to return the money with interest. Here, we have been able to net without any such commitment and this will be available for public expenditure.

श्री कल्पनाथ राय : जिन लोगों ने पैसे छिपा कर रखे है उनके बारे में सरकार को इनफारमेशन देने वालों को क्या सरकार कोई इंसेंटिव देगी ताकि आपको काफी पैसे मिल सके ?

श्री विश्वनाथ प्रताप सिंह : जरूर देंगे।

श्री बिठ्ठलभाई मोती राम पटेल : वालेंटरी डिस्क्लोजर स्कीम और बीयरर बोंड स्कीम से जितना पैसा मिला है वह बहुत कम है वालेंटरी डिसक्लोजर स्कीम और बीयरर बांड स्कीम में जो ब्लैक मनी है वह बहुत कम मिलता है तो क्या सरकार कोई ऐसा रास्ता निकालेगे जिससे यदि कोई अपनी ब्लैक मनी को गरीबों के लिए मकान बनाने के लिए हाउसिंग के लिए इनवेस्ट करे, क्या कोई ऐसा रास्ता निकाला जाएगा ।

श्री विश्वनाथ प्रताप सिंह : गवर्नमेंट को दे दे गवर्नमेंट हाउसिंग में लगा देगी।

SHRI TIRATH RAM AMLA: Madam, a scheme has been brought forward by the hon. Finance Minister that when an assessee files a revised return giving substantial increase in the profits his case will not be reopened. But in the scheme it self, it has been mentioned that no roving eneqiry' will be made. There are doubts in the minds of many organisations, assessees and industrialists about these words 'roving enquiry'. They feel that this should be replaced by 'No enquiry' or 'no questions will be asked'. I think, if this is done, the revised returns will be many times more than which might have already come before tthe department. Does the hon. Minister have any objection to replace the words 'roving enquiry' which the assessees feel—this is their feeling—is a trap? Will this be replaced by 'no enquiry' or 'no questions will be asked'?

THE DEPUTY CHAIRMAN: And no supplementaries.

SHRI VISHWANATH PRATAP SINGH: Madam, we have issued this circular from the Central Board of Direct Taxes, that we will not impose any penalty, that we will not launch any prosecution, that we will not make any roving enquiry about the past. I think this should very much assure the taxpayers that with the confidence that we are showing they

should come up. Certainly, we have not made concessions in the tax because we do not want to put them better than the honest taxpayer, but certainly I have given an opening, I think this is a fair assurance. But to say that on no account or under no circumstances, just because somebody has filed a return nothing will be done about it. I think that cannot be done. What has been also is that they are responding.

SHRI N.K.P. SALVE: Madam, Government has issued a circular which does not take the position any farther than what it is in the law. I am sure the Minister is aware of the explanation that has been added to section 271 (i) (c) of the Income-tax Act read with section 68 of the same Act. Section 271 (i) (c) deals with only the inference of concealment if there is addition or disallowance of an amount. If there is no addition or no disallowance of an amount, the explanation has no applicability and there is no concealment.

Section 68 provides that if you credit in yours books of account the amount do not offer any explanation, it will be taxed only for the year it is credited to the books of account.

Now, you are wanting the people to come up and disclose some more incomes which may in fact, relate to an earlier year but the law provides by a deeming provision that returns under section 68 will be touched only for the year they are disclosed. May I, therefore, know of the Minister, what prevents the Department from making this position absolutely categorical that in consonance with the law the moneys will be taxed only for the year in which it is disclosed.

SHRI VISHWANATH PRATAP SINGH: I have taken note of the suggestion.

SHRI DIPEN GOSH: Has he pleased for or against?

श्री हरि सिंह नलवा : महोदया, आप जानती हैं कि भारतवर्ष के अंदर औरतों की आबादी भी 50 परसेंट है और तालीम और तरक्की का सारा फायदा आज तक जब से यह जमीन आसमान बना है मर्द लोग ही उठाते आ रहे है, औरतो को नहीं मिला है तो मैं सरकार से यह पूछना चाहूंगा कि जो लोग ब्लैक मनी के मालिक हैं वे अपना रुपया औरतों की तालीम के लिए भारतवर्ष में जहां देहातों के अंदर प्राइमरी स्कूल भी आज तक लड़कियों के लिए नहीं हैं, स्कूल बनाने में लगाएंगे तो क्या सरकार इन्कम टैक्स मे ऐसा प्राविजन करेगी कि वह जो पैसा लगाएगे उसको सरकार नही पूछेगी ?

उपसभापति : मुझे चेयर पर देखकर तो यह सवाल नही पूछा आपने ?

श्री विश्वनाथ प्रताप सिंह : ब्लैक मनी के पहले तालीम छोड़ दे तो बेहतर है बजाये उसे तालीम और देने के ।

SHRI SURESH KALMADI: Madam, recently there have been a spate of income-tax and excise raids on industry which is a good thing and nobody can question that but the thing that is causing worry is that immediately after the raid such a high-powered publicity is given to the wrong which a particular person may or may not have done. I would, particularly, refer to the case of the raid on Mr. Kirloskar where he was interrogated for nearly 48 hours. Whether he has done right or wrong things, that is a different question, but look at the harassment meted out to him. In the press conference taken by the Director of Central Excise he branded everything as wrong. I would like to know from the hon. Minister, is the Government thinking of issuing instructions that after the raid the entire matter should be assessed in a calm manner and then only somebody takes a press conference and gives it out to the whole world? I would like to know whether in this particular case any excess was committed by the officer concerned.

SING: Madam, no excess was commit-
SINGH: Madam, no excess was committed.

THE DEPUTY CHAIRMAN: Question Hour is over.